UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN ANTHONY VOSS, JR.,

     Plaintiff,

v.

KILOLO KIJAKAZI,[1]
Acting Commissioner of Social Security,

     Defendant.

Civil Action No. 1:20-cv-00971-GTS-ATB

Parties' Stipulation for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the Appeals Council will further remand the case to an administrative law judge with instructions to offer Plaintiff the opportunity for a hearing, take further action to complete the administrative record as necessary, and issue a new decision. The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

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[1] Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Respectfully Submitted,

Kilolo Kijakazi,   John Anthony Voss, Jr.,

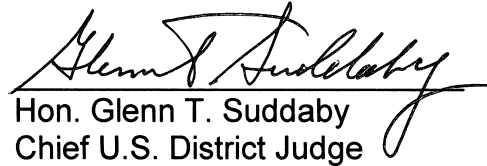By Her Attorneys: By His Attorney:

Antoinette T. Bacon,
Acting United States Attorney

/s/ Timothy S. Bolen   */s/ Howard D. Olinsky*[2]
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IT IS SO ORDERED:

Hon. Glenn T. Suddaby
Chief U.S. District Judge

Dated: _9/20/2021_____
       Syracuse, NY

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[2] Signed by Timothy Bolen with Howard Olinsky's permission.

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